

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GERALD BUSH,

Plaintiff,

v.

PHILADELPHIA REDEVELOPMENT,
AUTHORITY, et al.,

Defendants.

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CIVIL ACTION
NO. 18-5659

ORDER

AND NOW, this 29th day of August, 2019, upon consideration of *Pro Se* Plaintiff Gerald Bush's Complaint, as liberally construed by the Court (ECF Nos. 2, 3, 4, and 9), Plaintiff's Emergency Petition for Preliminary Injunctive Relief from Eviction (the "Emergency Petition") (ECF No. 17), Plaintiff's Notice of Information in Support of Request for Injunctive Relief; Cognizable Property Interest (ECF No. 20), Plaintiff's Notice of Information in Support of Request for Injunctive Relief, Tucker Act, and Contract Violation (ECF No. 21), Defendants Philadelphia Redevelopment Authority, Christi M. Jackson, and Robert Labrum's (collectively, the "Defendants") Motion to Dismiss the Complaint for Lack of Subject Matter Jurisdiction, or Alternatively, Failure to State a Claim (the "Motion to Dismiss") (ECF No. 26), Defendants' Answer in Opposition to Plaintiff's Emergency Petition (ECF No. 27), Plaintiff's Notice of Information of Law in Opposition to Defendants' Opposition to the Emergency Petition (ECF No. 28), and Plaintiff's Notice of Information in Support of Federal Jurisdiction (ECF No. 29), it is hereby **ORDERED** as follows:

1. Defendants' Motion to Dismiss is **GRANTED**. The Complaint is **DISMISSED WITH PREJUDICE** as to all Defendants.

2. Plaintiff's Emergency Petition is **DENIED** as **MOOT**.
3. Plaintiff **SHALL NOT** be permitted to file any additional documents under this case number, except for a notice of appeal, without leave of Court;
4. Plaintiff **SHALL NOT** be permitted to file any additional claims under 42 U.S.C. § 1983 without leave of Court.

- a. In seeking such leave of Court, Plaintiff shall certify that: (1) the claim he seeks to present is a new claim with a new set of operative facts never before raised and disposed of on the merits by any federal court; (2) the named defendants have not been named in any prior action that was disposed of on the merits by any federal court; (3) he believes the facts alleged in the proposed complaint are true; and (4) he knows of no reasons to believe his claims are foreclosed by controlling law.¹

- b. In seeking such leave of Court, Plaintiff shall also enclose a copy of this Order with his proposed complaint.

5. The Clerk of Court shall mark this case **CLOSED** for statistical and all other purposes.

BY THE COURT:

/s/ C. Darnell Jones, II
C. DARNELL JONES, II J.

¹ *Abdul-Akbar v. Watson*, 901 F.2d 329, 331 (3d Cir. 1990); *see, e.g., Gagliardi v. McWilliams*, 834 F.2d 81, 83 (3d Cir. 1987).